

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EVA DENISE MONTOYA,

Plaintiff,

No. CIV 11-814 JB/SMV

MARCUS ROMERO, In His Individual
Capacity,

Defendant.

JUDGMENT ON THE VERDICT

THIS MATTER was tried before the Court and Jury from September 30, 2013 through October 4, 2013. The Jury returned a unanimous verdict in favor of Defendant on all of Plaintiff's claims.

Since this time, counsel for the parties have conferred. Defendant has submitted a cost bill. The parties have agreed that Defendant will not pursue his cost bill and will not seek any claims for costs as the prevailing party in exchange for the Plaintiff's agreement that she will not appeal this Judgment.

IT IS THEREFORE ORDERED that Judgment is entered in favor of the Defendant and against the Plaintiff on all of Plaintiff's claims.

IT IS FURTHER ORDERED that the Defendant's Motion To Tax Costs is moot in light of Plaintiff's agreement not to appeal this Judgment in exchange for the Defendant's agreement not to pursue costs as the prevailing party. In the event Plaintiff seeks to appeal this Judgment, Defendant shall be entitled to renew his Motion To Tax Costs.


UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ James P. Lyle, Attorney

James P. Lyle

Attorney for Defendant Romero

/s/ Leon Howard, Attorney 11/08/13

Leon Howard

Attorney for Plaintiff Montoya